

ILLINOIS COMPILED STATUTES ANNOTATED  
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\*\*\* THIS SECTION IS CURRENT THROUGH PUBLIC ACT 94-722 \*\*\*  
\*\*\* ANNOTATIONS TO STATE CASES CURRENT THROUGH DECEMBER 31, 2005 \*\*\*

CHAPTER 235. LIQUOR  
LIQUOR CONTROL ACT OF 1934  
ARTICLE VI. GENERAL PROVISIONS  
GO TO THE CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION  
235 ILCS 5/6-28 (2005)

[Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 43, para. 144d]

**§ 235 ILCS 5/6-28. Happy hours prohibited**

Sec. 6-28. Happy hours prohibited. (a) All retail licensees shall maintain a schedule of the prices charged for all drinks of alcoholic liquor to be served and consumed on the licensed premises or in any room or part thereof. Whenever a hotel or multi-use establishment which holds a valid retailer's license operates on its premises more than one establishment at which drinks of alcoholic liquor are sold at retail, the hotel or multi-use establishment shall maintain at each such establishment a separate schedule of the prices charged for such drinks at that establishment.

(b) No retail licensee or employee or agent of such licensee shall:

(1) serve 2 or more drinks of alcoholic liquor at one time to one person for consumption by that one person, except conducting product sampling pursuant to Section 6-31 [235 ILCS 5/6-31] or selling or delivering wine by the bottle or carafe;

(2) sell, offer to sell or serve to any person an unlimited number of drinks of alcoholic liquor during any set period of time for a fixed price, except at private functions not open to the general public;

(3) sell, offer to sell or serve any drink of alcoholic liquor to any person on any one date at a reduced price other than that charged other purchasers of drinks on that day where such reduced price is a promotion to encourage consumption of alcoholic liquor, except as authorized in paragraph (7) of subsection (c);

(4) increase the volume of alcoholic liquor contained in a drink, or the size of a drink of alcoholic liquor, without increasing proportionately the price regularly charged for the drink on that day;

<b>PLAINTIFF'S EXHIBIT</b>	
CASE NO.	<b>CV04-0360P</b>
EXHIBIT NO.	<b>031</b>

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or the awarding of drinks of alcoholic liquor as prizes for such game or contest on the licensed premises; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under paragraphs (1) through (5).

(c) Nothing in subsection (b) shall be construed to prohibit a licensee from:

(1) offering free food or entertainment at any time;

(2) including drinks of alcoholic liquor as part of a meal package;

(3) including drinks of alcoholic liquor as part of a hotel package;

(4) negotiating drinks of alcoholic liquor as part of a contract between a hotel or multi-use establishment and another group for the holding of any function, meeting, convention or trade show;

(5) providing room service to persons renting rooms at a hotel;

(6) selling pitchers (or the equivalent, including but not limited to buckets), carafes, or bottles of alcoholic liquor which are customarily sold in such manner and delivered to 2 or more persons at one time; or

(7) increasing prices of drinks of alcoholic liquor in lieu of, in whole or in part, a cover charge to offset the cost of special entertainment not regularly scheduled.

(d) A violation of this Act shall be grounds for suspension or revocation of the retailer's license as provided by this Act.

#### HISTORY:

Source: P.A. 86-462; 86-1028; 90-432, § 5.

#### NOTES:

##### NOTE.

This section was Ill.Rev.Stat., Ch. 43, para. 144d.



NEW HAMPSHIRE REVISED STATUTES ANNOTATED

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\*\*\* STATUTES CURRENT THROUGH THE 2005 SESSION \*\*\*

\*\*\* ANNOTATIONS CURRENT THROUGH CASES DECIDED JULY 19, 2005 \*\*\*

TITLE XIII Alcoholic Beverages

CHAPTER 179 Enforcement, Requirements and Penalties

Advertising

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

RSA § 179:31 (2005)

**§ 179:31 Advertising Restrictions.**

I. Advertising of liquor or beverages by the use of sound trucks or outdoor internally illuminated screen displays is prohibited.

II. Manufacturers, wholesale distributors, or wine and liquor vendors or their salespersons may distribute samples of their products to licensees for purposes of tasting. The following restrictions shall apply:

- (a) Beer samples shall not exceed one 6-pack.
- (b) Wine samples shall not exceed 2 750 ml. bottles.
- (c) Liquor samples shall not exceed one 750 ml. bottle.
- (d) Wine coolers samples shall not exceed one 4-pack, or the product's normal marketing unit.
- (e) All liquor or wine for this purpose shall be purchased from the commission.
- (f) All beverage, wine, or liquor samples may be added to the retailer's inventory for sale.
- (g) All beverage furnished as samples shall be considered sales for the requirements of RSA 178:26.

III. Liquor and wine representatives or salespersons shall not enter state operated stores or warehouses operated by the commission for the purpose of sales promotion or to secure information regarding inventory sales movement without specific permission from the commission.

IV. The listing of retail prices on behalf of retail licensees, by a holder of a wholesale distributor license, is prohibited in all newspaper, magazine, periodical, radio or television advertising.

V. All liquor and beverage advertising, or any claims for liquor or beverage advertising shall conform with the standards set forth in regulations under the provisions of the federal Alcoholic Administration Act.

VI. Liquor and beverage advertising shall not be inconsistent with the description of the contents on labels of any such liquor or beverage.

VII. Advertising of liquor or beverages shall not contain:

(a) Any reference to minors, pictorial or otherwise.

(b) Any subject matter or illustrations inducing persons under the legal drinking age to drink. All coupon offers requiring consumer participation shall contain reference that the coupon offer is available only to persons of legal drinking age.

(c) Any statement that is false or misleading.

VIII. Coupon offers shall be redeemed by the vendor or the vendor's agent as specified in the offer. No redemptions shall be made by state stores.

IX. Advertising of liquor or beverages shall not be inconsistent with the spirit of safety or safe driving.

X. It shall be the responsibility of the advertiser to insure that all advertising copy is in complete conformity with the New Hampshire laws and rules.

XI. No advertising or promotion shall be done by the use of a billboard. Advertising shall not contain any reference to a "happy hour" except that a "happy hour schedule" may be posted within the licensed premises, not in view of any public way, and an on-premises licensee may advertise or promote the holding of a "champagne brunch" or similar package.

XII. No holder of a beverage manufacturer license, wholesale distributor license, or beverage vendor license shall advertise, either directly or indirectly, in any booklet, program, program book, yearbook, magazine, newspaper, periodical, brochure, circular, or other similar publication published by, for, or in behalf of any religious, fraternal, educational, patriotic, social, or civic group. No on-premises licensee or off-premises licensee, any group thereof, or any holder of a beverage manufacturer license, wholesale distributor license, or vendor license, through any control, ownership, interlocking ownership, interlocking directors, or otherwise shall advertise or cause any manner or form of advertising to be inserted in such publications.

HISTORY: Source. 1990, 255:1. 1991, 355:59. 1992, 195:2, eff. July 11, 1992. 1996, 275:27, eff. June 10, 1996. 2003, 231:27, 28, eff. July 1, 2003.



OKLAHOMA STATUTES, ANNOTATED BY LEXISNEXIS (R)

\*THIS DOCUMENT IS CURRENT THROUGH THE 2005 EXTRAORDINARY SESSION,  
ACT 1\*

\*\*\* JANUARY 6, 2006 ANNOTATION SERVICE \*\*\*

TITLE 37. INTOXICATING LIQUORS  
CHAPTER 3. OKLAHOMA ALCOHOLIC BEVERAGE CONTROL ACT

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

37 Okl. St. § 537 (2005)

§ 537. Enumerated prohibited acts

\* \* \*

B. No licensee of the ABLE Commission shall:

1. Receive, possess, or sell any alcoholic beverage except as authorized by the Oklahoma Alcoholic Beverage Control Act and by the license or permit which the licensee holds;
2. Employ any person under the age of twenty-one (21) in the selling or handling of alcoholic beverages. Provided, that a mixed beverage, beer and wine, caterer, special event or bottle club licensee may employ servers who are at least eighteen (18) years of age, except persons under twenty-one (21) years of age may not serve in designated bar or lounge areas, and a mixed beverage, beer and wine, caterer, special event or bottle club licensee may employ or hire musical bands who have musicians who are under twenty-one (21) years of age if each such musician is either accompanied by a parent or legal guardian or has on their person, to be made available for inspection upon demand by any ABLE Commission officer or law enforcement officer, a written, notarized affidavit from the parent or legal guardian giving the underage musician permission to perform in designated bar or lounge areas;
3. Give any alcoholic beverage as a prize, premium or consideration for any lottery, game of chance or skill or any type of competition;
4. Advertise or offer "happy hours" or any other means or inducements to stimulate the consumption of alcoholic beverages including:
  - a. deliver more than two drinks to one person at one time;
  - b. sell or offer to sell to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions

not open to the public;

c. sell or offer to sell to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;

d. sell or offer to sell drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public;

e. increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week; or

f. encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.

Provided that the provisions of this paragraph shall not prohibit the advertising or offering of food or entertainment in licensed establishments;

5. Permit or allow any patron or person to exit the licensed premises with an open container of any alcoholic beverage. Provided, that this prohibition shall not be applicable to closed original containers of alcoholic beverages which are carried from the licensed premises of a bottle club by a patron, closed original wine containers removed from the premises of restaurants, hotels, and motels, or to closed original containers of alcoholic beverages transported to and from the place of business of a licensed caterer by the caterer or an employee of the caterer; or

6. Serve or sell alcoholic beverages with an expired license issued by the ABLE Commission.

\* \* \*

HISTORY: Laws 2005, ch. 196 (SB 651), § 1, eff. Nov. 1, 2005.

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\*\*\* THIS DOCUMENT IS CURRENT THROUGH CHANGES PUBLISHED IN THE  
FEBRUARY 1, 2006 OREGON BULLETIN \*\*\*

CHAPTER 845 OREGON LIQUOR CONTROL COMMISSION  
DIVISION 7 ADVERTISING

Or. Admin. R. 845-007-0020 (2006)

**845-007-0020 Restrictions**

- (1) The Commission prohibits advertising if it contains:
- (a) False or misleading information;
  - (b) Claims that the alcoholic beverage has curative or therapeutic effects;
  - (c) Claims that any government agency endorses or supports the alcoholic beverage;
  - (d) The requirement of purchasing an alcoholic beverage in order to receive a prize or merchandise unless the manufacturer or wholesaler donates the prize or merchandise to a charitable cause or community non-profit entity;
  - (e) Material so appealing to minors that it encourages them to purchase, possess, or drink alcoholic beverages;
  - (f) A person displayed drinking an alcoholic beverage;
  - (g) Material that encourages the use of an alcoholic beverage because of its intoxicating effect;
  - (h) Statements or illustrations that an alcoholic beverage causes athletic or artistic success;
  - (i) Material that encourages excessive or rapid consumption.
- (2) The Commission prohibits references to temporary price reductions for alcoholic beverages to be consumed on the licensed premises. These references include "happy hour," "dimers," "two-for-one," "social adjustment hour," "free," or similar terms. The licensee may make references to temporary price reductions inside the licensed premises if the reference is not visible from the outside.
- (3) The Commission prohibits advertising that violates *OAR 845-015-0130* (Advertising a retail liquor store).

(4) The Commission prohibits manufacturers and wholesalers from giving retailers point-of-sale items and advertising that the financial assistance laws prohibit (*ORS 471.398* and *471.400* and *OAR 845-013-0050*).

Stat. Auth.: *ORS 471 & ORS 472*, including *ORS 471.030, 471.730(1) & (5)*  
Stats. Implemented: *ORS 471.730(7)*

Hist.: LCC 56, f. 10-20-76, ef. 12-1-76; Renumbered from 845-010-0096; LCC 7-1985, f. 7-30-85, ef. 9-1-85; OLCC 16-1989, f. 12-14-89, cert. ef. 1-1-90; OLCC 9-2003, f. 6-27-03, cert. ef. 7-1-03



\*\*\* THIS DOCUMENT IS CURRENT THROUGH ALL 2005 LEGISLATION \*\*\*  
\*\*\* Annotations current through November 17, 2005 \*\*\*

TITLE 3. ALCOHOLIC BEVERAGES  
CHAPTER 7. RETAIL LICENSES

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

R.I. Gen. Laws § 3-7-26 (2006)

**§ 3-7-26. Certain practices prohibited**

(a) No licensee, employee or agent of any licensee who operates under a license to sell alcoholic beverages shall:

(1) Cause or require any person or persons to buy more than one drink at a time by reducing the price of that drink;

(2) Increase the volume of alcohol contained in any alcoholic beverage without proportionately increasing the price;

(3) Sell, propose to sell or deliver to any person or persons an unlimited number of drinks during a certain period of time for a fixed price; or

(4) Allow or encourage any game or promotion on the premises which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as prizes for consumption on the premises.

(b) (1) No licensee shall advertise or promote in any manner, or in any medium, **happy hours, open bars, two-for-one nights and/or free drink specials.**

(2) Each city and town is hereby authorized and empowered, through its respective legislative body, to enact ordinances for the purpose of prohibiting any licensee from knowingly allowing the use of its premises as part of an organized pub crawl, so-called. A pub crawl shall be defined as an organized event intended to promote the organized, commercial travel of significantly large groups of individuals between licensed premises for the primary purpose of consuming alcoholic beverages at more than one premise. Evidence of a pub crawl shall include, but not be limited by:

(i) The existence of advertising, flyers, tickets or other printed or electronic material promoting or describing a planned pub crawl;

(ii) Organized, commercial transportation intended to move a total of fifty (50) or more individuals from one premise to another in an organized fashion; and

(iii) Evidence of compensation paid to an organizer by participants in a pub crawl. The department of business regulation is authorized to promulgate rules and regulations consistent with this section.

(c) Nothing in this section shall be construed to prohibit a licensee from offering free food or entertainment at any time; or to prohibit licensees from including an alcoholic beverage as part of a meal package; or to prohibit the sale or delivery of wine by the bottle or carafe when sold with meals or to more than one person; or to prohibit free wine tastings. Except as otherwise limited by this section, nothing contained in this section shall limit or may restrict the price which may be charged by any licensee for any size alcoholic beverage to be consumed on the licensed premises.

(d) Except as to subsection (b)(2) herein, adherence to this section is deemed to be a condition attached to the issuance and/or continuation of every license to sell alcoholic beverages for consumption on the licensed premises, and this section shall be enforced by the applicable local licensing authority, its agents, and the department.

(e) The provisions of this section are deemed to be severable and any final decision by a court of competent jurisdiction holding that any provision of this section is void, shall not make void nor affect any of the remaining provisions of this section.

HISTORY: P.L. 1985, ch. 345, § 1; P.L. 1996, ch. 100, art. 36, § 10; P.L. 2004, ch. 508, § 1.

NOTES:

REENACTMENTS. The 1998 Reenactment (P.L. 1998, ch. 441, § 1) redesignated this section, which, as enacted by P.L. 1985, ch. 345, § 1, was designated as § 3-7-25, conflicting with a different § 3-7-25 enacted by a prior Act (P.L. 1985, ch. 76, § 1). The redesignation of this section as § 3-7-26 was originally made by the joint committee on legislative affairs pursuant to § 43-2-2.1.

WEIL'S CODE OF RHODE ISLAND RULES  
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\*\*\* THIS DOCUMENT IS CURRENT THROUGH THE FEBRUARY 2006 REVISION \*\*\*

AGENCY 02. DEPARTMENT OF BUSINESS REGULATION  
SUB-AGENCY 040. DIVISION OF COMMERCIAL LICENSING AND REGULATION  
CHAPTER 016. REGULATION 8 - LIQUOR CONTROL ADMINISTRATION

CRIR 02-040-016 (2006)

**02 040 016 Regulation 8 - Liquor Control Administration**

\* \* \*

**RULE 16 HAPPY HOUR - RETAIL**

No licensee or employee or agent of an alcoholic beverage license shall sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the period of Monday through Friday until 6 P.M. or Friday at 6 P.M. through Sunday.

All licensees shall maintain a schedule of the prices charged for all drinks to be served and consumed on the premises or in any room or part thereof. Such prices shall be effective for the period of Monday through Friday until 6 P.M. and/or Friday at 6 P.M. through Sunday provided; however, that the Friday through Sunday time period may be extended for an additional 24 hours on those weekends which have a Monday holiday following, provided such holiday is recognized and observed by the State of Rhode Island.

**Happy hour and any similar type activities are prohibited.**

Cross Reference:

Certain practices prohibited § 3-7-26



UTAH CODE ANNOTATED

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\*\*\* STATUTES CURRENT THROUGH THE 2005 FIRST SPECIAL SESSION \*\*\*  
\*\*\* ANNOTATIONS CURRENT THROUGH 2005 UT 56, 2005 UT APP 367 \*\*\*  
\*\*\* SEPTEMBER 1, 2005 (FEDERAL CASES) \*\*\*

TITLE 32A. ALCOHOLIC BEVERAGE CONTROL ACT  
CHAPTER 4. PUBLIC LIQUOR LICENSES  
PART 1. RESTAURANT LIQUOR LICENSES

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

Utah Code Ann. § 32A-4-106 (2005)

**§ 32A-4-106. Operational restrictions**

Each person granted a restaurant liquor license and the employees and management personnel of the restaurant shall comply with the following conditions and requirements. Failure to comply may result in a suspension or revocation of the license or other disciplinary action taken against individual employees or management personnel.

\* \* \*

(12) (a) (i) Liquor may be sold only at prices fixed by the commission.

(ii) Liquor may not be sold at discount prices on any date or at any time.

(b) An alcoholic beverage may not be sold at less than the cost of the alcoholic beverage to the licensee.

(c) An alcoholic beverage may not be sold at a special or reduced price that encourages over consumption or intoxication.

(d) An alcoholic beverage may not be sold at a special or reduced price for only certain hours of the restaurant's business day such as a "happy hour."

(e) The sale or service of more than one alcoholic beverage for the price of a single alcoholic beverage is prohibited.

(f) The sale or service of an indefinite or unlimited number of alcoholic beverages during any set period for a fixed price is prohibited.

(g) A restaurant licensee may not engage in a public promotion involving or offering free alcoholic beverages to the general public.

\* \* \*

HISTORY: C. 1953, 32A-4-6, enacted by L. 1985, ch. 175, § 1; 1987, ch. 92, § 38; 1988, ch. 7, § 1; 1988, ch. 77, § 4; 1989, ch. 256, § 2; renumbered by L. 1990, ch. 23, § 60; 1991, ch. 132, § 13; 1993, ch. 7, § 3; 1993, ch. 23, § 1; 1994, ch. 95, § 1; 1997, ch. 40, § 1; 1998, ch. 127, § 1; 2000, ch. 1, § 68; 2002, ch. 282, § 4; 2003, ch. 314, § 24; 2004, ch. 268, § 5.

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\*\*\* Changes effective thru 22:8 V.A.R. \*\*\*

TITLE 3. ALCOHOLIC BEVERAGES  
AGENCY NO. 5. ALCOHOLIC BEVERAGE CONTROL BOARD  
CHAPTER 20. ADVERTISING

3 VAC 5-20-30. (2005)

**3 VAC 5-20-30. Advertising; exterior; signs; vehicles; uniforms.**

Outdoor alcoholic beverage advertising shall be limited to signs and is otherwise discretionary, except as follows:

1. Manufacturers and wholesalers, including wineries and farm wineries:

a. No more than one sign upon the licensed premises, no portion of which may be higher than 30 feet above ground level on a wholesaler's premises;

b. No more than two signs, which must be directional in nature, not farther than 1/2 mile from the licensed establishment limited in dimension to 64 square feet with advertising limited to brand names;

c. If the establishment is a winery also holding a retail off-premises winery license or is a farm winery, additional directional signs with advertising limited to trade names, brand names, the terms "farm winery" or "winery," and tour information, may be erected in accordance with state and local rules, regulations and ordinances; and

d. Only on vehicles and uniforms of persons employed exclusively in the business of a manufacturer or wholesaler, which shall include any antique vehicles bearing original or restored alcoholic beverage advertising used for promotional purposes. Additionally, any person whether licensed in this Commonwealth or not, may use and display antique vehicles bearing original or restored alcoholic beverage advertising.

2. Retailers, including mixed beverage licensees, other than carriers and clubs:

a. No more than two signs at the establishment and, in the case of establishments at intersections, three signs, the advertising on which, including symbols approved by the United States Department of Transportation relating to alcoholic beverages, shall be limited to 12 inches in height or width and not animated and, in the case of signs remote from the premises, subordinate to the main theme and substantially in conformance with the size and content of advertisements of other services offered at the establishment; and



b. Limited only to words and terms appearing on the face of the license describing the privileges of the license and, where applicable: "Mixed Drinks," "Mixed Beverages," "Cocktails," "Exotic Drinks," "Polynesian Drinks," "Cocktail Lounge," "Liquor," "Spirits," and not including any reference to or depiction of "Bar Room," "Saloon," "Speakeasy," "Happy Hour," or references or depictions of similar import, nor to prices of alcoholic beverages, including references to "special" or "reduced" prices or similar terms when used as inducements to purchase or consume alcoholic beverages. Notwithstanding the above, the terms "Bar," "Bar Room," "Saloon," and "Speakeasy" may be used in combination with other words that connote a restaurant as part of the retail licensee's trade name; and

c. No advertising of alcoholic beverages may be displayed in exterior windows or within the interior of the retail establishment in such a manner that such advertising materials may be viewed from the exterior of the retail premises, except on table menus or newspaper tear sheets.

3. Manufacturers, wholesalers and retailers may engage in billboard advertising within stadia, coliseums or racetracks that are used primarily for professional or semiprofessional athletic or sporting events.

Statutory Authority: §§ 4.1-103, 4.1-111, 4.1-113, 4.1-320 and 4.1-329 of the Code of Virginia.

Historical Notes: Derived from VR125-01-2 § 3, eff. December 12, 1985; amended, Virginia Register Volume 3, Issue 1, eff. November 12, 1986; Volume 4, Issue 6, January 21, 1988; Volume 5, Issue 2, eff. November 24, 1988; Volume 6, Issue 2, eff. November 23, 1989; Volume 7, Issue 4, eff. December 19, 1990; Volume 8, Issue 6, eff. January 15, 1992; Volume 9, Issue 6, eff. January 13, 1993; Volume 10, Issue 11, eff. March 23, 1994.

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\*\*\* Changes effective thru 22:8 V.A.R. \*\*\*

TITLE 3. ALCOHOLIC BEVERAGES  
AGENCY NO. 5. ALCOHOLIC BEVERAGE CONTROL BOARD  
CHAPTER 20. ADVERTISING

3 VAC 5-20-40. (2005)

**3 VAC 5-20-40. Advertising; newspaper, magazines, radio, television, trade publications, etc.**

A. Beer, wine and mixed beverage advertising in the print or electronic media is permitted with the following exceptions:

1. All references to mixed beverages are prohibited except the following: "Mixed Drinks," "Mixed Beverages," "Exotic Drinks," "Polynesian Drinks," "Cocktails," "Cocktail Lounges," "Liquor" and "Spirits";
2. The following terms or depictions thereof are prohibited unless they are used in combination with other words that connote a restaurant and they are part of the licensee's trade name: "Bar," "Bar Room," "Saloon," "Speakeasy," or references or depictions of similar import; and
3. Any references to "**Happy Hour**" or similar terms are prohibited.

B. Further requirements and conditions are as follows:

1. All alcoholic beverage advertising shall include the name and address (street address optional) of the responsible advertiser;
2. Advertising placed by a manufacturer, bottler or wholesaler in trade publications of associations of retail licensees or college publications shall not constitute cooperative advertising;
3. Advertisements of beer, wine and mixed beverages are not allowed in college student publications unless in reference to a dining establishment, except as provided below. A "college student publication" is defined as any college or university publication that is prepared, edited or published primarily by students at such institution, is sanctioned as a curricular or extra-curricular activity by such institution and which is distributed or intended to be distributed primarily to persons under 21 years of age.

Advertising of beer, wine and mixed beverages by a dining establishment in college student publications shall not contain any reference to particular brands or prices and shall be limited

only to the use of the following words: "A.B.C. on-premises," "beer," "wine," "mixed beverages," "cocktails," or any combination of these words; and

4. Advertisements of beer, wine and mixed beverages are prohibited in publications not of general circulation which are distributed or intended to be distributed primarily to persons under 21 years of age, except in reference to a dining establishment as provided in subdivision 3; notwithstanding the above mentioned provisions, all advertisements of beer, wine and mixed beverages are prohibited in publications distributed or intended to be distributed primarily to a high school or younger age level.

5. Notwithstanding the provisions of this or any other regulation of the board pertaining to advertising, a manufacturer, bottler or wholesaler of alcoholic beverages may place an advertisement in a college student publication which is distributed or intended to be distributed primarily to persons over 18 and under 21 years of age which has a message relating solely to and promoting public health, safety and welfare, including, but not limited to, moderation and responsible drinking messages, anti-drug use messages and driving under the influence warnings. Such advertisement may contain the name, logo and address of the sponsoring industry member, provided such recognition is at the bottom of and subordinate to the message, occupies no more than 10 of the advertising space, and contains no reference to or pictures of the sponsor's brand or brands, mixed drinks, or exterior signs. Any public service advertisement involving alcoholic beverages shall contain a statement specifying the legal drinking age in the Commonwealth.

Statutory Authority: §§ 4.1-103, 4.1-111, 4.1-113, 4.1-320 and 4.1-329 of the Code of Virginia.

Historical Notes: Derived from VR125-01-2 § 4, eff. December 12, 1985; amended, Virginia Register Volume 3, Issue 1, eff. November 12, 1986; Volume 4, Issue 6, January 21, 1988; Volume 5, Issue 2, eff. November 24, 1988; Volume 6, Issue 2, eff. November 23, 1989; Volume 7, Issue 4, eff. December 19, 1990; Volume 8, Issue 6, eff. January 15, 1992; Volume 9, Issue 6, eff. January 13, 1993; Volume 10, Issue 11, eff. March 23, 1994.